

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

MPM SILICONES, LLC, *et al.*,<sup>1</sup>

Reorganized Debtors.

U.S. BANK NATIONAL ASSOCIATION,  
AS INDENTURE TRUSTEE,

Plaintiff/Appellant,

v.

WILMINGTON SAVINGS FUND  
SOCIETY, FSB, AS INDENTURE  
TRUSTEE; MOMENTIVE PERFORMANCE  
MATERIALS INC.; JUNIPER BOND  
HOLDINGS I LLC; JUNIPER BOND  
HOLDINGS II LLC; JUNIPER BOND  
HOLDINGS III LLC; JUNIPER BOND  
HOLDINGS IV LLC; MOMENTIVE  
PERFORMANCE MATERIALS CHINA  
SPV INC.; MOMENTIVE PERFORMANCE  
MATERIALS HOLDINGS INC.;  
MOMENTIVE PERFORMANCE  
MATERIALS QUARTZ, INC.;  
MOMENTIVE PERFORMANCE  
MATERIALS SOUTH AMERICA INC.;  
MOMENTIVE PERFORMANCE  
MATERIALS USA INC.; MOMENTIVE  
PERFORMANCE MATERIALS  
WORLDWIDE INC.; AND MPM  
SILICONES, LLC,

Defendants/Appellees.

Case Nos. 14-7471 (VB) & 14-7472 (VB)  
Case No. 14-7492 (VB)

Confirmed

Judge Vincent L. Briccetti

**ORAL ARGUMENT REQUESTED**

Case No. 14-7471 (VB) & 14-7472 (VB)

<sup>1</sup> The last four digits of the taxpayer identification numbers of the Reorganized Debtors follow in parentheses: (i) Juniper Bond Holdings I LLC (9631); (ii) Juniper Bond Holdings II LLC (9692); (iii) Juniper Bond Holdings III LLC (9765); (iv) Juniper Bond Holdings IV LLC (9836); (v) Momentive Performance Materials China SPV Inc. (8469); (vi) Momentive Performance Materials Holdings Inc. (8246); (vii) Momentive Performance Materials Inc. (8297); (viii) Momentive Performance Materials Quartz, Inc. (9929); (ix) Momentive Performance Materials South America Inc. (4895); (x) Momentive Performance Materials USA Inc. (8388); (xi) Momentive Performance Materials Worldwide Inc. (8357); and (xii) MPM Silicones, LLC (5481). The Reorganized Debtors' executive headquarters are located at 260 Hudson River Road, Waterford, NY 12188.

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BOKF, NA, solely as Trustee for the MPM Escrow LLC and MPM Finance Escrow Corp. 8.875% First Priority Senior Secured Notes due 2020; WILMINGTON TRUST, NATIONAL ASSOCIATION, solely as Trustee for the Momentive Performance Materials Inc. 10% Senior Secured Notes due 2020,

Appellants,

Case No. 14-7492 (VB)

v.

MOMENTIVE PERFORMANCE MATERIALS INC., MOMENTIVE PERFORMANCE MATERIALS WORLDWIDE INC., MOMENTIVE PERFORMANCE MATERIALS USA INC., JUNIPER BOND HOLDINGS I LLC, JUNIPER BOND HOLDINGS II LLC, JUNIPER BOND HOLDINGS III LLC, JUNIPER BOND HOLDINGS IV LLC, MOMENTIVE PERFORMANCE MATERIALS QUARTZ, INC., MPM SILICONES, LLC, MOMENTIVE PERFORMANCE MATERIALS SOUTH AMERICA INC., MOMENTIVE PERFORMANCE MATERIALS CHINA SPV INC.,

Appellees.

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**NOTICE OF MOTION TO DISMISS APPEALS OF U.S. BANK, BOKF, NA AND WILMINGTON TRUST, N.A. AS EQUITABLY MOOT**

PLEASE TAKE NOTICE that, upon the accompanying *Memorandum of Law in Support of the Motion of the Reorganized Debtors to Dismiss Appeals of U.S. Bank, BOKF, NA and Wilmington Trust, N.A. as Equitably Moot* and all declarations related thereto, the undersigned will move before the Honorable Vincent L. Briccetti, Judge of the United States District Court for the Southern District of New York, at the United States District Courthouse located at 300 Quarropas Street, White Plains, New York 10601, at a time and place to be scheduled by this

Court, for an order granting the *Motion of the Reorganized Debtors to Dismiss Appeals of U.S. Bank, BOKF, NA and Wilmington Trust, N.A. as Equitably Moot.*

Dated: New York, New York  
November 11, 2014

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### CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that, on November 11, 2014, I caused the Notice of Motion to Dismiss, Memorandum of Law and related Declarations to be filed and served by using the Court's CM/ECF system. I further certify that, on November 11, 2014, I caused the foregoing documents to be served on counsel of record via first-class mail and electronic mail at the following addresses:

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